



ARIZONA DEPARTMENT OF ECONOMIC SECURITY

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Janet Napolitano
Governor

William Bell
Acting Director

June 16, 2003

WIA GUIDANCE LETTER #07-03

SUBJECT: Selective Service Requirements and Related Changes to the Participant Tracking Guide (PTG)

REFERENCE: P.L. 105-220, §189(h) of the Workforce Investment Act (WIA) of 1998; 20 CFR Part 652 et al., §670.420 of the WIA Final Rules dated August 11, 2000; 50 U.S.C., App. 453 Section 3 of the Military Selective Service Act of 1980

BACKGROUND: In 1980, under the Military Selective Service Act (SSA), Congress re-instituted registration for the military draft. All young men (citizens and non-citizens) ages 18 through 25 residing in the United States are required to register with Selective Service. WIA requires that each male participant receiving any WIA-funded assistance or benefit must be in compliance with Section 3 of the SSA. Registration for the draft can be accomplished at any U.S. post office or on the Internet at www.sss.gov. In addition, The State of Arizona requires Selective Service registration as a condition of eligibility for state financial aid, as well as a precondition for state employment. On April 24, 2003, Gov. Janet Napolitano signed into law a bill that also requires *Arizona men age 18 through 25 to be registered with Selective Service to obtain a state driver's license. This becomes effective July 1, 2003.*

According to the SSA, a male must register with Selective Service within 30 days of his 18th birthday. The Selective Service System will accept late registrations, but not after a man has reached age 26.

IMPORTANT NOTE: Registration for the draft does not apply for men born from March 29, 1957 to December 31, 1959 because the registration requirement was not in effect when these men would have turned 18. Registration for the draft applies to all men born on/after January 1, 1960.

ACTION REQUIRED: During WIA application for eligibility, local area staff shall ensure that each male 18 years of age or older is asked to present proof of registration for Selective Service. In the case of a "nonregistrant" (i.e. a male who was not registered by the age of 26), WIA services may not be denied if the nonregistrant can "show by a preponderance of evidence" that his failure to register was not knowing and willful. At the nonregistrant's request, local staff shall assist the individual in obtaining an official Selective Service response letter verifying whether or not the individual was required to register. The "Request for Status Information" form and the directions for completing the form can be found at <http://www.sss.gov/PDFs/infoform.pdf> and <http://www.sss.gov/PDFs/instructions.pdf> respectively.

The form requests information and documentation regarding circumstances that may have prevented registration such as hospitalization, institutionalization, or incarceration that occurred between an individual's 18th and 26th birthdays. Non-citizens may be required to provide documents that indicate when they entered the United States. WIA case files should contain copies of the Selective Service registration card or a printout of any documentation that serves as proof of Selective Service status.

Below are the choices for Box 17 on the JT-001 (WIA Application for Eligibility) form related to Selective Service. If an individual is registered, the registration number and selection "1" must be provided in Box 17. Selections "2" or "9" are for other circumstances as shown.

Registration No. – A number issued to a male born on/after January 1, 1960, who has registered with the Selective Service

- 1** = **Registered** – Male born on/after January 1, 1960, who has registered with the Selective Service.
- 2** = **Not Registered** – Male born on/after January 1, 1960, who has **not** registered with the Selective Service.
- 9** = **Not Applicable (N/A)** - Selective Service registration is not applicable to:
 - Females
 - Males born from March 29, 1957 to December 31, 1959
 - Were **not** residents of the United States at the time they were required to register
 - Other situations in which the requirement to register is waived by the Selective Service. See <http://www.sss.gov/must.htm>.

Enclosed are revised pages 5 and 6 of Section 2 of the WIA Participant Tracking Guide (PTG). These revised pages update the information on Selective Service as provided in this guidance letter. Please ensure that staff replace the current pages in the PTG with those attached. Feel free to contact your Quality Assurance Liaison at (602) 542-3957 if you have questions.

Sincerely,

David R. Ellis
Program Administrator (Interim)
Workforce Development Administration

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Enclosure